

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/523,538
Applicant: Sunagawa
Filed: February 3, 2005
Title: ULTRA MINIATURE INTEGRATED CARDIAC
PACEMAKER AND DISTRIBUTED CARDIAC PACING
SYSTEM
Art Unit: 3762
Examiner: Kahelin
Confirmation Number: 7543
Attorney Docket No.: KUP-6

Commissioner of Patents and Trademarks
Alexandria, VA 22313-1450

LETTER TO ACCOMPANY INFORMATION DISCLOSURE STATEMENT

While reviewing the application information on PAIR for the above-identified patent application, we discovered that the Information Disclosure Statement (IDS) submitted via USPS Certified Mail on March 10, 2006 was not present in the Image File Wrapper.

The attached IDS filed through EFS-Web using the EFS-WEB IDS form (PTO/SB/08a) is a resubmission of the IDS originally filed on March 10, 2006. A copy of the originally submitted IDS and a copy of the postcard bearing the OIPE received stamp are also enclosed.

No fee should be required for this filing.

Respectfully submitted:

Date: July 9, 2008

/mav #45612/

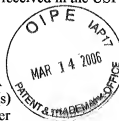
Meghan Van Leeuwen, Registration No.: 45,612
BROWN & MICHAELS, PC
400 M&T Bank Building, 118 N. Tioga Street
Ithaca, New York 14850-4343
Voice: (607) 256-2000 Fax: (607) 256-3628

Docket No. KUP-6Serial/Patent No. 10/523,538Title: Ultra Miniature Cardiac Pacemaker and Distributed Cardiac
Inventor/s: Sunagawa et al.

The following, was received in the USPTO Mail Room on the date stamped hereon:

☒ Transmittal☐ Fee Transmittal☐ Specification☐ Drawings☐ Declaration/POA☐ PTO Data Sheet(s)☐ Assignment/Cover☐ Sequence List & Disk☐ Stmt. Under 37 CFR § 1.821☐ Provisional Patent Appl. Cover Sheet☐ Response to Office Action☐ Other: _____Mailed 2/10/06☒ IDS 4-2 References☐ Preliminary Amendment☐ Missing Parts Form & Fee☐ Notice of Appeal or Appeal Brief☐ RCE Transmittal Form☐ Issue Fee & Transmittal☐ Maintenance Fee & Transmittal☐ Petition/Request for _____☐ Petition for Time Extension☐ Deposit Account No.: _____☐ Check # _____ \$ _____By: [Signature]

7004 0750 0003 0365 3111





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0004



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

19

Application Number

10/523,538

Filing Date

February 3, 2005

First Named Inventor

Sunagawa et al.

Art Unit

3762

Examiner Name

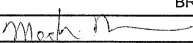
Attorney Docket Number

KUP-6

ENCLOSURES (Check all that apply)

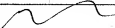
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	2 References
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Post Card
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BROWN & MICHAELS, PC		
Signature			
Printed name	Meghan A. Van Deeuwen		
Date	3/10/06	Reg. No.	45,612

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		
Typed or printed name	Justin Wood	Date
		3/10/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Alexandria VA 22313-1450

In re the application of: Sunagawa et al.
For: Ultra Miniature Integrated Cardiac Pacemaker and Distributed Cardiac Pacing System
Filed: February 3, 2005
Application No.: 10/523,538
Art Unit: 3762
Attorney Docket No.: KUP-6

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this information Disclosure Statement

1. [X] Preliminary Statements
2. [X] FORM PTO - 1449 (Modified)
3. ☐ Statement As To Information Material To Examination Not Found in Patents or Publications
4. ☐ Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted.
5. ☐ Cumulative patents or Publications
6. ☐ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items.
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Certification under MPEP 609(e)
10. [X] Identification of Person(s) Making This Information Disclosure Statement

CERTIFICATE OF MAILING

[X] Certified Mail No: 7004 0750 0003 0365 3111

Date: March 10, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service, return receipt requested in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date.


Justin Wood

Section 1. Preliminary statements

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO - 1449 (Modified) (SEE ATTACHMENT)

*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance or not considered. Include a copy of this form with the next communication to applicant.

Section 3. Statement As To Information Material For Examination Not Found in Patents or Publications (Information not listed in PTO 1449)

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted

Section 5. Cumulative Patents or Publications

☐ Item(s)

are cumulative of the following patents or publication listed on Form PTO 1449 (modified):

In accordance with 37 CFR 1.98(c) a copy of _____ is being submitted with this information disclosure statement.

Section 6. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed accompany this information statement.

☐ Exception(s) to above:

☐ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 8. Translation(s) of Non-English Language Documents

☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 9. Certification under Rule 1.97

☐ The undersigned hereby certifies that:

- a. This Statement is being filed after the latest of (1) three months after the filing date of a national application; (2) three months after the date of entry of the national stage as set forth in w 1.491 in an international application; (3) the mailing date of a first Office action on the merits.
- b. The fee set forth in §1.17(p)

☐ Is being paid with this Information Disclosure Statement

☐ Is not due because:

☐ (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or

☐ (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.

**Section 10. IDENTIFICATION OF PERSON(S) MAKING THIS
INFORMATION DISCLOSURE STATEMENT**

The person making this statement is

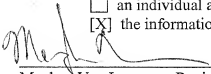
(a) ☐ the inventor(s) who signs below

(b) ☒ the attorney who signs below on the basis of:

☐ the information supplied by the inventor(s)

☐ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)).

☒ the information in the attorney's file


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3/10/02
Date: